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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/986,484  | 10/22/2001  | Robert Boxall        | CYB-011157          | 5130             |
| 24628   | 7590        | 11/28/2005           | EXAMINER            |                  |
| WELSH & KATZ, LTD<br>120 S RIVERSIDE PLAZA<br>22ND FLOOR<br>CHICAGO, IL 60606 |             |                      | PHAM, BRENDA H      |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2664                |                  |

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/986,484

Applicant(s)

BOXALL ET AL.

Examiner

Brenda Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8 is/are allowed.
- 6) ☐ Claim(s) 1-5 and 9-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Brenda A. Pham

11/23/05

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-11 are pending in this application.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Sung et al (US 6,226,684 B1).

Claims 1-5 and 9-10, Sung et al discloses a method of bypassing proxy settings of a computing device on a network wherein the proxy setting do not correspond to the network, the method comprising the steps of:

Receiving a request from the computing device in the form of a DNS or IP address;

Determining if the request is directed to a proxy server, and responsive thereto, determining a level of access to proxy server (see figure 5, steps 84, 88, 100, 92 and column 7, lines 20-67); and responding to the request with the identification of a proxy server associated with the network (see figure 1 and 5 A, step 82, 84, 88, 100 and 92, column 7, lines 1-67).

Claim 11, Sung et al further teach a method of networking computers comprising the steps of (referring to figure 1): providing a router having a subnet of one side (client 14) on one side of the router (router 14), the router having a subset (subnet includes all client 12); establishing communication with at least one computing device on the one side of the router, wherein at least one of the at least one computing device has a subnet that does not correspond to that of the router; determining the IP address of the computing device; storing a table of IP address of computer devices which are on the one side of the router regardless of the corresponding of the subnet of the computing device and the router; and facilitating communication to and from the computing device through the router between the one side and the other side (see figure 1 and 5B).

#### ***Response to Arguments***

4. Applicant's argument filed 10/31/05 have been fully considered but they are not persuasive.

In the REMARKS, the Applicant asserts that Sung et al does not address "determining a level of access to the proxy server" as claimed. Examiner respectfully disagrees because Sung et al reference indeed teaches this limitation. In according to figure 1, 5A steps 82, 84, 88, 100 and 92 and column 7, lines 55-67, Sung et al teach the step of "determining a level of access to the proxy server" by determining the status of the server (step 100 of figure 5A). If the status of the server is acceptable then router 14 redirects client to that particular server (step 92). Sung et al reference clearly teaches the arguable limitation, therefore the rejection of claims 1-5, 9-10 stand.

Applicant further argued that Sung et al does not anticipate pending claim 11 because Sung et al does not include: "establishing communication with at least one computing device has a subnet that does not correspond to that of the router" (pending claim 11). Examiner respectfully disagrees. According to figure 1 and column 4, 5, lines 64-67, 1-10, respectively, Sung et al teach the step of establishing communication with at least one computing device one side of the router (communication line 28 and 36 is utilized to establishing communication between router 14 and client 14), wherein at least one of the at least one computing device has a subnet that does not correspond to that of the router (the clients including client 12 is considered as one subnet which does not correspond to router 14. The router 14 receives the establishment message 24 and realizes that is cannot handle the request. The router 14 must now redirect communications from the client 12 to a server).

Examiner respectfully believes that Sung et al disclose all the claim limitation recited in claim 1-5 and 9-11. Therefore, the rejection of claims 1-5, 9-11 remain stand.

***Allowable Subject Matter***

5. Claims 6-8 are allowed over prior art.
6. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record does not teach or fairly suggest in combination the steps of receiving a request for the computing device directed to the proxy server associated with the network; redirecting the computing device to a predetermined location if the level of access is determined to not include access outside of the proxy server; and allowing the request to proceed to the proxy server associated with the

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network if the level of access is determined to include access outside of the proxy server.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

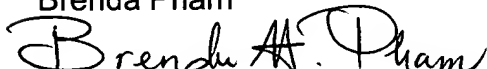
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

November 23, 2005

Brenda Pham

Brenda A. Pham